

226th Meeting Contractors' Registration and Licensing Board

May 14, 2008

(A) The meeting was called to order by the Chairman, Felix Carlone, at 12:35 PM.

(B) Approval of the agenda and order of business was accepted on a motion by Mr. David Caldwell and Mr. Art Salisbury and seconded by Mr. Steve Gianlorenzo

(C) The minutes of the 225th meeting were approved on a motion by Mr. Art Salisbury and seconded by Mr. Richard Welch.

(D) Court Case Update: May 2008

RESPONDENT; FINES: RESTITUTION: DATE: CLAIMANT:

Merlino 50 Naylor

(monthly agreement 1/1/08)

Silvo 400 Krawczyk

Plant 100 Riggs

Alt 925 Martino

DelVecchio 2,870

Duchesneau 1,500 Young

DelVecchio 500 2375 Grant

Duchesneau 5,500 3,725 Young

Houghton 500 5,000 Sirois Russo 200 Peygei

Trainor 555 Burden

Arruda 250

Barlow 2,250 5,775 McGee

Manzi 1,780.12 Silva
Scrivani 300 DelFino
Lamora 500
Houghton 1,000 Sirois
Catalao 284.25 Mancini
Carson 500 Wilson
Mathieu 500 10,941 Reenan
Gendron 1,000 (VCIF contribution only) DaSilva
Duchesneau 5,500 3,725 Young
Amado 17,000 Vieira
Desjarlais 1,000 Goulet
Andrade 1,000 1,525 Lubrano
Gilman 250 400 Serotta
Brown 3,000 Villa
Saffer 1,113.70 Marble
Braga 5,000 Deamorim
Mello 2,525 Walsh
Conway 500
Russell 1,000
Lyon 500
Villatico 1,000 2,330 Saing
O'Brien 30,025 Church
Faria 1,000 Florio
Levesques 200 500 Menzies
Buitta 1,500 Escobar
Silvio 10 Krawczyk

Conway	250	Stey	
Conway	1,250	Morin	
Donnelly	200	Stender	
Carson	500	Wilson	
Castelli	50	Desjardins	
Dunn	1,000	Charles	
Crowshaw	100	200	Tull
Anderson	1,450	Crafa	
Rebello	500	500	Hoitt
Faria	5,543.44	Florio	
Hall	2,905	Silva	
Brown	5,000	8,141.89	Barnaby
Lariviere	1,875	Paulus	
Lariviere	360	Sickinger	
Benevides	7,000	5,025	Croteau
Gencarella	4,400	3,925	Speredelozzi
Guatieri	10,000	30,000	Dutra
Guatieri	1,500	2,025	Meneses
Russo	150	Paygei	
Braga	100	4,200	DeAmorim
Hall	2,905.60	Silva	
Carson	500	Wilson	
Grilo	5000	Correia	

TOTAL	\$56,970	\$179,435.00
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TOTAL FINES and RESTITUTION: \$236,405.00

Court Ordered Dispositions

Defendant Fine Restitution Victim

Mailhot \$1,000 (VCIF contribution) Acquisto

Oliver 500 5,815 Palardy

Grilo 10,025 Kenna

Grilo 7,425 Stark

Grilo 5,000 (violation #4768)

\$6,500 \$23,265

TOTAL FINES/RESTITUTION: \$29,765

Outstanding Warrants

Joseph Grilo CLAIMS: #5542/5765/5803 and Violation #4768

(E) Consideration of Cases on Appeal and Oral Argument:

(1) 12:40 PM, claim #5933, Kim Ziegelmayer vs. Travis Ogilvie. Motion to vacate a final order issued June 20, 2007, which was previously stayed by the Board due to the matter being filed in Bankruptcy Court, after the Board had rendered a final order and issued a decision. This matter was continued until next month at the request of the respondent's legal counsel;

(2) 01:00 PM, claim #6279, Robert Roklan vs. Joseph Christman, exception filed by respondent. Both parties were in attendance and exceptions filed by the respondent were reviewed and discussed. After respondent presented his case and claimant had opportunity to

respond a motion was made by Mr. Carlone and seconded by Mr. Welch to uphold the decision rendered by the hearing officer, motion carried unanimously;

(3) 01:20 PM, claim #6463. Gozie Chalker vs. Christopher Cooke, exceptions filed by respondent. Both parties were in attendance and the respondent presented his case, which the claimant rebutted. After review of evidence and listening to both parties, a motion was made by Mr. Carlone and seconded by Mr. Brillon to uphold the decision, passed unanimously;

(4) 01:40 PM, claim #6177, Mario Cirillo vs. James Tavares, exceptions filed by respondent, matter continued until next month;

(5) 02:00 PM, claim #6152, Jonathan Baker vs. Michael Beauchamp, continued from April hearing whereby a motion to vacate a final order was heard and was under criminal prosecution in Kent County Court. Resolution was agreed to by parties, but unable to complete settlement in time period established, parties agreed to extension and payment plan;

(6) 02:10 PM, claim #6499, Lawrence Blais vs. Sabatino Giordano, matter continued from last month. Matter continue again until June meeting;

(7) Expungements:

02:15 PM, registration #1719, John DeBar, violation #4069 1&2, after review of his record a motion was made by Mr. Carlone, seconded by Mr. Brillon to expunge his record, motion carried unanimously;

02:20 PM, registration #4437, Kenneth Sorensen., claim #1501,

failed to appear, passed on request;

02:25 PM, registration #24660, Al Girouard, violation #5586 denied by the Board motion by Mr. Carlone seconded by Mr. Welch, unanimous;

02:30 PM, registration #22185, Christopher Fonseca, claim #4803. The Board on a motion by Mr. Gianlorenzo and seconded by Ms. Calcagni unanimously expunged the claim;

02:35 PM, registration #22847, William Randall, III, violation #3772 & 4102, the Board passed on this matter;

02:40 PM. registration #20394, David Sande, claim #5640. On a motion was made by Mr. Carlone and seconded by Mr. Welch matter was denied;

02:45 PM, registration #6115, John Aurgemma, request to expunge (37) claims.

Anthony Aurgemma, John Aurgemma and their legal counsel presented their case and concerns regarding expungement of records. After much discussion and concern expressed by several Board members, as to the number of claim, the Board on a motion by Mr. Carlone and seconded by Ms. Calcagni to expunge all the claims over (10) years from the record. The motion was denied on a (7) to (3) vote. It was suggested that the maybe the claims should be bundled into categories for better review. After more discussion (5) of the claims had letters from claimants which supported removal. A motion was made by Mr. Furey and seconded by Mr. Caniglia to expunge those claims with the documentation; that being claims

(3966/3923/3652/2843/3108). This motion carried unanimously and those claims were expunged. Another attempt was made to expunge the records older than (10) years on the same voigt with the same parties making motion and seconded this was again denied (7) to (3). In reviewing additional claims a motion was made by Mr. Carlone and seconded by Mr. Welch to remove claim #608. Motion passed unanimously. Lastly a motion was made by Mr. Carlone and seconded by Mr. Brunetti to remove claim #2727 under the conditions that verification of claim by Mr. Lanni to make sure deposit was returned. This also passed unanimously. Because of the extent of the process and time allocated, the balance of the claims will be reviewed by staff and Mr. Aurgemma before the next meeting and will be presented with better documentation at the next Board meeting

(8) Registration #4035, Ben Simson, A Busy Bee Team, addressed the Board regarding roofing insurance. Concerns were expressed that as a roofing contractor, who subs all the work out, was he required to have roofing insurance. The Board after listening to his presentation and discussing the matter was unclear as to who was required to have roofing insurance, the actual roofer or the broker. The matter went unresolved with the Director stating that pursuant to RI General Law 5-65-7 you are required to have insurance for the type of work performed.

(F) Report of the Executive Director and Staff:

(1) Statistics Report:

5/14/08

Registrations:

Number of Registered Contractors	12739		
Number of Cards Surrendered	4152	Number of Cards	
Expired/Lapsed	13305		
Number of Cards Invalidated	673		
Number of Cards Suspended	437		
Number of Cards Revoked	64		

Registration Actions 5/14/08

Number of New Registered Contractors	175
Number of Renewed Contractors	12564
Number of Cards Surrendered	53
Registrations Invalidated	76
Registrations Suspended	7
Registrations Revoked	2

Claims: 5/14/08

Administrative Appeals		6
Board Appeals	5	
Address Trace	93	
Awaiting Further Action		51
Court		330
Disposed		5401
Final Orders	122	
Hearings	44	
Out of State Services	23	Proposed Orders 38
Under Investigation		112
Total Claims Filed with the Board		6310

Number of New Claims 30 4/9/08 – 05/14/08

Violations:

Action Against Registration	21	
Non-Registered Subcontractors		24
Advertising 9		
Cancelled Insurance		783
Notice of Hearing 3		
Non-Registered Contractors		692
TOTAL RECORDS	1532	

Number of New Violations 18 4/9/08 – 5/14/08

Lapsed Registrations/Never Re-Newed:

April 2007	85
May 2007	83
June 2007	83
July 2007	85
August 2007	102
September 2007	140
October 2007	141
November 2007	143
December 2007	155
January 2008	176
February 2008	116

March 2008 218

April 2008 265

2008 Month Ticket # Fine

January 2 150

February 2 500

March 4 1,550

April 7 1,950

Commercial Roofers: 5/14/08

Number registered 125

Number expired/lapsed 30

Number surrendered 13

Number invalidated 0

Number suspended 0

Number revoked 0

Pending Approval 0

Registration Actions; 5/14/08

Number of New Registered Contractors 5

Number of Renewed Roofer Contractors 120

Number of Cards Surrendered 0

Number of Expired/Lapsed 0

Registrations Invalidated 0

Registrations Suspended 0

Registrations Revoked 0

(G) Old Business:

(1) Review of Regulations, Laws and Standards: All matters continued until next month due to time constraints.

(H) New Business:

(1) All matters were continued until next month due to time constraints:

(1) Position status;

(2) Study Commission;

(3) Tickets/Violations;

(4) Web-site changes to language and how insurance is flagged.

(I) Public Comment: None.

(J) Announcements: The next Board meeting is scheduled for Wednesday June 11, 2008 at 12:30 PM Conference Room "A", 2nd Floor, One Capitol Hill.

(K) Adjournment: A motion was made by F. Carlone and seconded by A. Salisbury to

adjourn at 4:40 PM.

Members Present: F. Carlone, P. Brunetti, D. Caldwell, T. Furey, R. Welch, R. Caniglia,

A. Salisbury, R. Cardoza, S. Gianlorenzo and B. Calcagni

Members Absent: E. Ladouceur, D. Gagnon, S. Carlino and E. Anderson

Others Present: George Whalen (Executive Director), Special Assistant Attorney General

Christine Hetherington (legal counsel), stenographer, staff and parties for appeals and motions.

Respectfully Submitted,

**George W. Whalen, Executive Director
Contractors' Registration and Licensing Board**

GWW/man